



08-27-04

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/824,631         | 04/14/2004             | Fabio Pellizzer       | 854163.414             |

38106

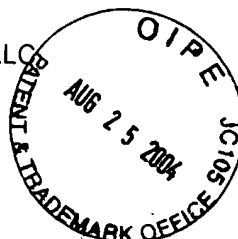
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVENUE, SUITE 6300  
SEATTLE, WA 98104-7092

CONFIRMATION NO. 6272

FORMALITIES LETTER



OC000000013073598\*



Date Mailed: 06/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$108** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1008** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

08/30/2004 BABRAHA1 00000093 10824631

|            |           |
|------------|-----------|
| 01 FC:1001 | 770.00 OP |
| 02 FC:1051 | 130.00 OP |
| 03 FC:1202 | 108.00 OP |
| 04 FC:1201 | 86.00 OP  |


- Total additional claim fee(s) for this application is **\$108**

- **\$108** for **6** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

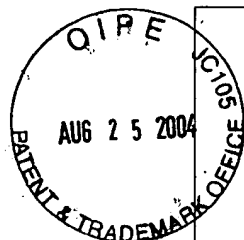
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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# TRANSMITTAL FORM

(To be used for all correspondence  
after initial filing)

|                      |                 |
|----------------------|-----------------|
| Application Number   | 10/824,631      |
| Filing Date          | April 14, 2004  |
| First Named Inventor | Fabio Pellizzer |
| Art Unit             | 2811            |
| Examiner Name        |                 |
| Attorney Docket No.  | 854163.414      |

## ENCLOSURES (check all that apply)

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449<br><input checked="" type="checkbox"/> Cited Reference<br><input checked="" type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input checked="" type="checkbox"/> Declaration<br><input type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____<br><input type="checkbox"/> After Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> )<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> ):<br><u>Copy of Notice to File Missing Parts</u><br>_____<br>_____<br>_____ |
|--|---|--|

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                 |                                   |                                 |
|-----------------|-----------------------------------|---------------------------------|
| Individual Name | Hai Han, Ph.D.<br>Reg. No. 54,150 | Customer Number<br><b>38106</b> |
| Signature       |                                   |                                 |
| Date            | August 25, 2004                   |                                 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |  |       |
|-----------------------|--|-------|
| Typed or printed name |  |       |
| Signature             |  | Date: |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
510608\_1.DOC

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) **1094**

Complete if Known

Application Number **10/824,631**  
Filing Date **April 14, 2004**  
First Named Inventor **Fabio Pellizzer**  
Examiner Name  
Art Unit **2811**  
Attorney Docket No. **854163.414**

## METHOD OF PAYMENT

☒ Payment Enclosed:  
☒ Check ☐ Credit card ☐ Money Order ☐ Other  
☐ Deposit Account:  
Deposit Account Number **19-1090**  
Deposit Account Name **Seed Intellectual Property Law Group PLLC**  
The Director is authorized to (check all that apply)  
☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any deficiencies  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid        |
|--------------|----------|--------------|----------|------------------------|-----------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |                 |
| 1001         | 770      | 2001         | 385      | Utility filing fee     | <b>770</b>      |
| 1002         | 340      | 2002         | 170      | Design filing fee      |                 |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |                 |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |                 |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |                 |
| SUBTOTAL (1) |          |              |          |                        | <b>(\$ 770)</b> |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims                | Extra Claims     | Fee from below | Fee Paid   |
|-----------------------------|------------------|----------------|------------|
| <b>26</b>                   | -20** = <b>6</b> | <b>18</b>      | <b>108</b> |
| Independent Claims <b>4</b> | -3** = <b>1</b>  | <b>86</b>      | <b>86</b>  |
| Multiple Dependent          |                  |                |            |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) |          |              |          | <b>(\$ 194)</b>  |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES


| Large Entity |          | Small    |          | Fee Description  | Fee Paid   |
|--------------|----------|----------|----------|--|------------|
| Fee Code     | Fee (\$) | Fee Code | Fee (\$) |  |            |
| 1051         | 130      | 2051     | 65       | Surcharge - late filing fee or oath  | <b>130</b> |
| 1052         | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet.                    |            |
| 1053         | 130      | 1053     | 130      | Non-English specification  |            |
| 1812         | 2520     | 1812     | 2520     | For filing a request for <i>ex parte</i> reexamination                     |            |
| 1804         | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |            |
| 1805         | 1840*    | 1805     | 1840*    | Requesting publication of SIR after Examiner action                        |            |
| 1251         | 110      | 2251     | 55       | Extension for reply within first month                                     |            |
| 1252         | 420      | 2252     | 210      | Extension for reply within second month                                    |            |
| 1253         | 950      | 2253     | 475      | Extension for reply within third month                                     |            |
| 1254         | 1480     | 2254     | 740      | Extension for reply within fourth month                                    |            |
| 1255         | 2010     | 2255     | 1005     | Extension for reply within fifth month                                     |            |
| 1401         | 330      | 2401     | 165      | Notice of Appeal   |            |
| 1402         | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |            |
| 1403         | 290      | 2403     | 145      | Request for oral hearing   |            |
| 1451         | 1510     | 1451     | 1510     | Petition to institute a public use proceeding                              |            |
| 1452         | 110      | 2452     | 55       | Petition to revive - unavoidable   |            |
| 1453         | 1330     | 2453     | 665      | Petition to revive - unintentional   |            |
| 1501         | 1330     | 2501     | 665      | Utility issue fee (or reissue)   |            |
| 1502         | 480      | 2502     | 240      | Design issue fee   |            |
| 1503         | 640      | 2503     | 320      | Plant issue fee  |            |
| 1460         | 130      | 1460     | 130      | Petitions to the Commissioner  |            |
| 1807         | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |            |
| 1806         | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |            |
| 8021         | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |            |
| 1809         | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |            |
| 1810         | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |            |
| 1801         | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |            |
| 1802         | 900      | 1802     | 900      | Request for expedited examination of a design application                  |            |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$ 130)**

## SUBMITTED BY

|                   |   |                                  |                        |
|-------------------|---|----------------------------------|------------------------|
| Name (Print/Type) | <b>Hai Han, Ph.D.</b>   | Registration No. Attorney/Agent) | <b>54,150</b>          |
| Signature         |  | Date                             | <b>August 25, 2004</b> |

Customer Number

**38106**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fabio Pellizzer  
Application No. : 10/824,631  
Filed : April 14, 2004  
For : SELF-ALIGNED PROCESS FOR MANUFACTURING A PHASE  
CHANGE MEMORY CELL AND PHASE CHANGE MEMORY  
CELL THEREBY MANUFACTURED

Art Unit : 2811  
Docket No. : 854163.414  
Date : August 25, 2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated June 25, 2004, please find enclosed the following documents:

  X   Fee  
  X   Oath/Declaration  
  X   Copy of Notice to File Missing Parts  
      Sheets of Formal Drawings

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Hai Han, Ph.D.  
Registration No. 54,150